

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Dennis A. Cornell, Associate Justice; Honorable Gene M. Gomes, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Anthony Lauria, Senior Deputy Clerk.

F052499 In re the Marriage of Joseph and Leeta Jones

Cause called and argued by Joseph Jones, appellant in propria persona. Michael Kilpatrick, Esq., counsel for respondent waived oral argument.

Cause ordered submitted.

Court recessed until 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Dennis A. Cornell, Associate Justice; Honorable Gene M. Gomes, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Robert Abilez, Senior Deputy Clerk.

F052301 Lost Hills Travel Center, Inc. et al. v. Birk

Cause called and argued by Joshua G. Wilson, Esq., counsel for appellant and by Walter W. Whelan, Esq., counsel for respondent.

Cause ordered submitted.

F053350 Brooks v. WCAB; California Dept. of Corrections

Cause called and argued by Michael Bannon, Esq., counsel for petitioner (Brooks), Lawrence Whiting, Esq., counsel for amicus (California Applicants Attorneys Association), David M. Goi, Esq., counsel for respondent (California Dept. of Corrections) and by Jason Waller, Esq., counsel for amicus (County of Los Angeles).

Cause ordered submitted.

F052021 Clarke v. Mount

Cause called and argued by Stanley Clarke, appellant in propria persona and by Monrae L. English, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Monday, April 14, 2008 at 10:00 A.M.

IN THE

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F051419 People v. Breedlove

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F052765 People v. Hillman

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F052852 Vitoria et al. v. Rupe

The judgment is affirmed. Costs to respondent. Ardaiz, P.J.

We concur: Dawson, J.; Hill, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F052235 People v. Nieto

F053598 In re Joseph Stevenson Nieto

On the court's own motion, it is hereby ordered that the order filed October 2, 2007, consolidating the captioned matters be vacated.

F052340 People v. Mendez and Perez

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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F052340 People v. Mendez and Perez

Solely as to Mendez, the judgment is reversed and the matter is remanded with directions to the trial court to hold a Marsden hearing and, on that foundation, either to appoint new counsel on his new trial motion or to reinstate the judgment or to proceed otherwise as authorized by law.

Solely as to Perez, the judgment is affirmed but the matter is remanded with directions to the trial court to award him 844 actual custody days plus 422 conduct credit days for a total of 1,266 presentence credit days and to send to every appropriate person a certified copy of an abstract of judgment so amended. Perez has not right to be present at those proceedings. Gomes, J.

We concur: Vartabedian, Acting P.J.; Cornell, J.

[CERTIFIED FOR PARTIAL PUBLICATION]

F052082 People v. Marquez

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F052082 People v. Marquez

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F053123 In re the Marriage of Padilla

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE
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IN AND FOR THE
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F054454 In re Sonvonya V. et al., Minors

No brief or request for extension of time having been filed, IT IS
HEREBY ORDERED that the appeal in the above-entitled action is
dismissed.